## Message Text

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 TRSE-00 AID-05 DHA-02 /063 W

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R 111615Z MAY 77
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 1578
INFO AMEMBASSY BUENOS AIRES
AMEMBASSY MONTEVIDEO
AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

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EO 11652 GDS TAGS PINT BR SUBJECT: REACTION TO GEISEL REFORMS

REFS: (A) BRASILIA 3035 (B) BRASILIA 3181 (NOTAL) (C) SAO PAULO 1161 (NOTAL)

1. SUMMARY: SINCE GEISEL INTERVENED TO CHANGE RULES OF POLITICAL GAME IN BRAZIL WITH REFORMS (REFTELS), MDB, JOINED BY SOME MEMBERS OF ARENA, HAS EXHIBITED STRONG DISSATISFACTION AND EVEN DEFIANCE. MDB CLEARLY SEES REFORM PACKAGE AS ATTEMPT TO KEEP POWER IN AREANA'S HANDS, AND HAS LAUNCHED "CONSIOUSNESS-RAISING" EFFORT BY MAKING CAMPAIGN FOR CONSTITUENT ASSEMBLY. MDB MAY ALSO BE ATTEMPTING TO EXPLOIT DIFFERENCES IT PERCEIVES IN MILITARY OVER REFORMS AND TO IDENTIFY WITH AND ASSURE MORAL LEADERSHIP OF GROWING, BUT FRAGMENTED OPPOSITION AMONG STUDENTS, INTELLECTUALS AND PROFESSIONALS, CHURCH, LABOR AND SOME BUSINESSMEN. ARENA DEPUTIES SEEM INSECURE AND WORRIED THAT BACKLASH AGAINST PRESIDENT OVER DECREED INDIRECT

ELECTIONS WILL COST ARENA DEARLY IN DIRECT ELECTIONS FOR CHAMBER OF DEPUTIES AND STATE LEGISLATURES. PLANALTO HAS INDICATED NO NEW CONFIDENTIAL

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REFORMS OR CHANGES ON INITIAL PACKAGE WILL BE FORTHCOMING, THOUGH UNPOPULARITY AND WIDELY ASSUMED INEFFECTIVENSS OF RECENT REFORMS ENCOURAGES IMPRESSION ADDITIONAL, HARDER REFORMS ARE IMPENNDING. FND SUMMARY

2. IN INTERVENING WEEKS SINCE GEISEL REFORMS SUBSTANTIALLY CHANGED THE

RULES OF THE DOMESTIC POLITICAL GAME IN BRAZIL (REFTELS), BOTH MDB LEGISLATORS AND AN APPRECIABLE AND GROWING NUMBER OF MEMBERS OF ARENA HAVE EXHIBITED DISSATISFACTION WITH "REFORMS."

AS EXPECTED, MDB'S CONTINUING REACTION HAS BEEN TO ATTACK CHANGES AS ANTI-DEMOCRATIC MEASURES DESIGNED TO KEEP MDB OUT OF POWER AND BLOCK EXPRESSION OF POPULAR OPINION. FEARING BACKLASH FROM VOTERS UNHAPPY WITH DECREED INDIRECT ELECTIONS OF GOVERNORS AND ONE-THIRD OF SENATE, ARENA ALSO INCREASINGLY SHOWS CONCERN ABOUT ITS VULNERABILITY IN DIRECT ELECTIONS FOR 400 DEPUTIES 20 SENATORS, AND SEVERAL HUNDRED STATE LEGISLATORS SCHEDULED FOR NOVEMBER 1978.

3. IN MDB'S REPLIES TO "REFORMS" AT RE-OPENING OF CONGRESS APRIL 15, MDB CHAMBER LEADER ALENCAR FURTADO, IN SPEECH DESCRIBED AS ONE OF TMOST CONFRONTATIONAL HEARD IN CHAMBER IN YEARS, SAID GOVERNMENT VIOLATED ALL DEMOCRATIC PRINCIPLES "DISRUPTING VERY ESSENCE OF THE CONSTITUTION." FURTADO ACCUSED GEISEL OF BEING ARBITRARY AND ATTACKED ARENA CONGRESSIONAL LEADERS FOR PARTICIPATING IN THE HUMILITATION OF CONGRESS. SIMILARLY, IN SENATE MDB LEADER MONTORO, SUBSEQUENTLY ECHOED BY SENATOR PAULO BROSSARD, SAID GOVERNMENT HAD FAILED TO ESTABLISH STATE OF LEGAL ORDER AND CLAIMED REFORMS WERE DESIGNED TO THWART MDB AT POLLS. IN ARENA, REPLIES, GOVERNMENT PARTY LEADER IN CHAMBER, JOESE BONIFACIO CALLED FURTADO "RADICAL PROVOCATEUR" AND SAID GOVERNMENT HAD TO PROTECT ITSELF FROM RADICAL MINORITY. ARENA SENATE LEADER REZENDE ALSO NOTED PRESIDENT HAD NO CHOICE BUT TO DECREE "REFORMS" IN FACE OF MDB OBSTACLES. VICE CHAIRMAN OF CHAMBER OF DEPUTIES JOAO LINHARES TOLD EMBOFF THAT NORMALLY FURTADO SPEECH WOULD HAVE BEEN ENOUGH TO GET HIM CASSATED. IN THIS CASE, HOWEVER, MILITARY SAW SPEECH AS NECESSARY "SAFETY VALVE" FOR MDB'S FRUSTRATION. CONFIDENTIAL.

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4. IN APRIL 19 MEETING MDB NATIONAL LEADERSHIP DECIDED TO CONSULT PARTY DIRECTORATES THROUGHOUT COUNTRY TO SEEK SUPPORT FOR CONVOCATION OF A CONSTITUENT ASSEMBLY THAT WOULD "RE-ESTABLISH THE STATE OF LAW IN THE COUNTRY". OPPOSITION STRATEGY, AS MDB DEPUTY TOLD EMBOFF, IS NOW TO RAISE CONSCOUSNESS OF INTELLECTUAL CLASS TO THE NEED FOR CONSTITUENT ASSEMBLY. WHILE SOME PARTY MODERATES STILL OPPOSE THIS TACTIC, MANY MDB LEADERS ARE BEGINNING TO APPEAR THROUGHOUT BRAZIL

MAKING PITCH FOR ASSEMBLY'S CONVOCATION, WHICH THEY STRESS WAS FIRST PROPOSED BY THE BAR ASSOCIATION (SEE BELOW). ARENA LEADERS HAVE SHOWN SOME APPREHENSION OVER CAMPAIGN FOR CONSTITUENT ASSEMBLY, WHICH NTHEY NOTE IS OUT OF THE QUESTION IN THE CURRENT POLITICAL ALIGNMENT OF THE COUNTRY UNDER THE REVOLUTION'S CONTROL. MORE CONSERVATIVE ARENA LEADERS HAVE SUGGESTED THAT THE CAMPAIGN IS SUBVERSIVE EFFORT, POSSIBLY BACKED BY COMMUNISTS, TO INCITE OPPOSITION TO THE REVOLUTION AND IMPUGN ITS LEGITIMACY.

5. CONTRASTING ECHO FROM SOME IN MDB RANKS HAS BEEN CALL FOR

PARTY'S SELF-DISSOLUTION IN PROTEST OF GEISEL "REFORMS." SAME ELEMENTS WOULD PROBABLY LIKE TO SEE GEISEL OPT FOR MULTI-PARTY SYSTEM WHICH WOULD ALLOW MOSTLY "MODERATE" CENTERIST GROUP TO ESCAPE FROM RADICAL LABLE THAT ARENA HAS PLACED IN MDB IN WAKE OF REFORMS. OUR CONTACTS IN MDB INDICATE THAT PARTY LEADERSHIP HAS OVERCOME TENDENCIES TOWARD DISSOLUTION AND ARE OPTIMISTIC THAT PRESIDENT OVERSTEPPED HIMSELF WITH HIS DECREES. MDB LEADERSHIP SUCH AS PARTY SECRETARY THALES RAMALHO AND NATIONAL PRESIDENT ULYSSES GUIMARAES CLAIM MDB CAN WIN MAJORITY OF SEATS IN DIRECT DELECTIONS FOR THE CHAMBER AND STATE LEGISLATURES.

ANOTHER MDB DILEMMA IS WHETHER TO ALLOW ITS CANDIDATES TO PARTICIPATE IN INDIRECT ELECTIONS, WHICH PARTY HAS DENOUNCED IN PRINCIPLE, EVEN IN RIO WHERE CHANCES OF VICTORY ARE GOOD.

6. ARENA LEADERS AND LEGISLATORS HAVE FREQUENTLY ADMITTED THEIR UNHAPPINESS WITH GEISEL'S REFORMS. THEY FEAR A BACKLASH VOTE FOR THE MDB CANDIDATES IN DIRECT ELECTIONS BECAUSE OF THE UNPOPULARITY CONFIDENTIAL.

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OF THE RETURN TO INDIRECT ELECTIONS. IN UNUSUALLY BLUNT STATEMENT, ARENA GOVERNOR OF MINAS GERAIS, AURELIANO CHAVES, TOLD PRESS HE HAD COMMUNICATED TO GEISEL THAT PROPOSAL TONSLERW ONE-THIRD OF SENATE DIRECTLY HAD BEEN RECEIVED WITH "COLDNESS" BY POLITICOS. GOVERNOR EXPRESSED SOLIDARITY WITH PRESIDENT AND SAID REFORMS, THOUGH PERHAPS NOT THE BEST SOLUTION, WERE THE ONLY ADVISABLE SOLUTION AT THE MOMENT. CHAVES ALSO ADMITTED THAT THERE WAS A HIGH DEGREE OF GIMMICKRY IN REFORMS, SIMILARLY, SAO PAULO GOVERNOR PAULO EGYDIO MARTINS ALSO COMMUNICATED TO THE PRESIDENT DISSATISFACTION WITH INDIRECT ELECTIONS OF SENATORS AND PROLONGATION OF MANDATE OF LOCAL MAYORS AND COUNCILMEN. ARENA CONGRESSIONAL LEADER HERFERT LEVY HAS BEEN MOST PROMINENT OF SEVERAL ARENA LEGISLATORS TO CRITICIZE REFORMS PUBLICLY, CLAIMING THAT THEY IGNORED "BRAZILIAN REALITY." LEVY CLAIMS TO BE GATHERING LIST OF COMPLAINTS FROM ARENA COLLEGUES THAT HE WILL SUBMIT PERSONALLY TO PRESIDENT.

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L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 TRSE-00 AID-05 DHA-02 /063 W

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R 111615Z MAY 77
FM AMEMBASSY BRASILIA
TO SECSTATE WASHDC 1579
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7. ARENA DISSATISFACTION HAS BEEN TRANSLATED INTO PROPOSAL EMANATING FROM MANY CURRENT ARENA ELECTED OFFICIALS THAT THEIR MANDATES BE EXTENDED UNTIL 1980, BUT ACCORDING TO ARENA CHAMBER LEADER JOSE BONIFACIO, EXTENSION "IS OUT OF THE QUESTION." IN RESPONSE TO GRUMBLING

FROM WITHIN ARENA ABOUT REFORMS, MINISTER OF JUSTICE FALCAO APRIL 25 TOLD PRESSS AFTER MEETING WITH PRESIDENT THAT GOVERNMENT PLANNED TO INTRODUCE NO NEW REFORMS OR CHANGE ANY OF THE ALREADY PROMULGATED REFORMS. FALCAO CONFIRMED THAT THERE WERE PARTY DIFFERENCES OVER REFORMS BUT SAID IT WAS NORMAL AND SHOWED THAT PARTY WAS A DEMOCRATIC ORGANIZATION.

8. OUTSIDE OF CONGRESSIONAL ARENA THERE HAS BEEN OUTSPOKEN OPPOSITION TO REFORMS. THE BRAZILIAN BAR ASSOCIATION (OAB) ON APRIL 19 ISSUED A STRONGLY WORDER NOTE OF PROTEST AGAINST THE RECESS

OF CONRESS AND PRESIDENTIAL DECREE OF JUDICIAL REFORM, DECLARING THAT THE GOVERNMENT, "IN SEARCH OF A NOW NON-EXISTENT LEGITIMACY, INVOKES HIGH NATIONAL INTERESTS, PRECISELY TO OPPOSE THEM."
THE NOTE CITED THE GROWING DISHARMONY BETWEEN GOVERNMENT ACTS AND THE WILL OF THE NATION, A "RUPTURE, TYPICAL OF DICTATORIAL REGIMES, (WHICH) COMPROMISES THE VERY LEGITIMACY OF THE ACTIVITY OF THE CONFIDENTIAL

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GOVERNMENT, WHOSE ACTS MANIFEST THEMSELVES AS MERE IMPOSITIONS OF FORCE." THE OAB CALLED FOR IMMEDIATE REPEAL OF AI-5 AND FOR REFORM OF THE CONSTITUTION BY A POPULARLY ELECTED CONSTITUENT ASSEMBLY.

9. ANOTHER GROUP WHICH WAS NOT AT ALL PLEASED WITH THE RESULTS OF THE "REFORMS" AND LACK OF PARTICIPATION IN THEM WAS THE CHURCH, WHICH ALONG WITH EVERYONE ELSE DISCOVERED LATE IN THE GAME THAT A LIKELY IMPLICATION OF THE SWITCH TO MAJORITY VOTES FOR PASSAGE OF THE CONSTITUTIONAL AMENDMENTS WOULD BE THE PROMPT INTRODUCTION OF DIVORCE IN BRAZIL. (TWO YEARS AGO A PRO-DIVORCE CONSTITUTIONAL AMENDMENT WAS DEFEATED IN CONGRESS, BUT CARRIED A BIPARTISAN MAJORITY OF 222 VOTES AS AGAINST 145.) LAST MINUTE APPEALS BY A NUMBER OF CHURCHMEN FAILED TO DISSUADE THE GOVERNMENT FROM THIS PART OF ITS REFORM PACKAGE, ANDPRO-DIVORCE FORCES IN CONGRESS QUICKLY

### REAFFIRMED AND ACTED UPON EARLIER PROMISES TO INTRODUCE NEW PROPOSALS.

IN THE AFTERMATH, CHURCH LEADERS REPRESENTING THE BREADTH OF THE IDEOLOGICAL SPECTRUM HAVE ISSUED STATEMENTS, CONDEMNING DIVORCE, MANY OF WHICH HAVE INCLUDED DIRECT OR INDIRECT CRITICISM OF THE GOVERNMENT STEP WHICH MAY FACILITATE ITS PASSAGE. SUCH COMMENT HAS HEAVILY OVERSHADOWED THE THUS FAR LIMITED CRITICISM FROM CHURCH OFFICIALS ON THE MORE PURELY POLITICAL IMPLICATIONS OF THE GOVERNMENT'S BEHAVIOR. HOWEVER, SOME CHURCH LEADERS HAVE ALSO SPOKEN OUT AGAINST REFORMS AS NON-PARTICIPATORY AND A BARRIER TO NATIONAL DIALOGUES.

10. RESENTMENT OVER APRIL REFORMS HAS ALSO BEEN A PARTIAL CATALYST FOR THE RISE IN UNIVERSITY STUDENT DEMONSTATIONS, PARTICULARLY IN BRASILIA, RIO, SAO PAULO, BELO HORIZONTE AND PORTO ALEGRE SINCE MID-APRIL (SAO PAULO 1161). STUDENT GRIEVANCES HAVE SHOWN INCREASING TENDENCY TO ADD TO BREAD AND BUTTER ACADEMIC ISSUES SUCH AS CAFETERIAS, QUALITY OF INSTRUCTION, MORE GENERAL POLITICAL APPEALS SUCH AS "AMNESTY, AN END OF TORTURE, AND CONVOCATION OF A CONSTITUENT ASSEMBLY, AND POLITICAL LIBERTIES." (SUCH ISSUES WERE MAIN THEMES OF MAY 5 SAO PAULO DEMONSTRATIONS AND MAY 10 IN RIO, BELO HORIZONE AND OTHER CENTERS.)

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11. SINCE THE REFORMS, MAJOR DAILIES HAVE CARRIED SHARP AND OUT-SPOKEN ATTACKKS BY EDITORIALISTS AND COLUMNISTS ON THE REFORM PACKAGE. REPRESENTATIVE SAMPLE OF MORE VIRULENT PRESSREACTION AGAINST REFORMS WAS CONTAINED IN APRIL 22 COLUMN IN JORNAL DO BRASIL BY VETERAN COLUMNIST CARLOS CASTELLO BRANCO, WHO SAID ALL REFORMS WERE SELF-SERVING FOR THE REGIME AND THUS ARE PROVISIONAL. TO MAINTAIN GOVERNMENT WHICH LIVES IN A STATE OF EXCEPTION, MATHEMATICAL CALCULATIONS WERE USED AS A BASIS FOR ELECTORAL LEGISLATION, HE CONTINUED. MATHEMATICAL FORMULAS WERE SOUGHT TO SOLVE PROBLEMS POLITICAL SCIENCE COULD NOT SOLVE. HE CONCLUDED ALL THIS WOULD BE CHANGED BY THE CONVOCATION OF A NATIONAL CONSTITUENT ASSEMBLY, "FOR WHICH THERE IS A CRESCENDO OF DEMAND BY THE OPPRESSED." A FREQUENT THEME OF CASTELLO AND OTHER MAJOR COMMENTATORS IS THAT, SINCE THE REFORMS WILL NOT HAVE THE INTENDED EFFECT, THERE WILL BE OTHERS, PROBABLY MORE RESTRICTIVE, IN THE NOT DISTANT FUTURE.

12. COMMENT: AT THIS JUNCTURE MDB APPEARS TO BE WORKING ALONG TWO MAJOR

LINES OF STRATEGY. FIRST, PARTY IS MAKING AN EFFORT TO EDUCATE PUBLIC TO NEED FOR CONSTITUENT ASSEMBLY, THUS ATTEMPTING TO INCREASE PUBLIC'S AWARENESS OF WHAT PRESIDENT HAS DONE TO POLITICAL SYSTEM WELL BEFORE 1978 ELECTIONS. THE MDB'S PROBLEM MAY BE IN KEEPING PUBLIC'S INTEREST ALIVE TO ISSUES OVER LONG TERM. SECONDLY, THERE IS EVIDENCE THAT MDB IS LOOKING FOR CRACKS IN MILITARY SOLIDARITY IT CAN EXPLOIT

MCB VICE LEADER IN THE CHAMBER FREITAS NOBRE TOLD PRESS MDB
COULD SUPPORT MILITARY CANDIDATE FOR PRESIDENT. DEPUTY AIRTON
SOARES WHO IS VERY CLOSE TO THE INTELLECTUAL CENTER OF THE PARTY
TOLD PRESS THAT MDB PLANNED TO INITIATE CAMPAIGN FOR MILITARY
PARTICIPATION IN THE PARTY. MDB DEPUTIES HAVE GIVEN SIMILAR
INDICATIONS TO EMBASSY AND CONGEN OFFICERS. FINALLY, MDB LIBERALS
SEEK TO IDENTIFY WITH AND ASSUME AT LEAST MORAL LEADERSHIP OF
RISING BUT STILL FRAGMENTED OPPOSITION MOVEMENT OF STUDENTS, LAWYERS
JOURNALISTS AND OTHER PROFESSIONALS, THE CHURCH AND SOME BUSINESSMEN.
BUT CONSERVATIVE AND MODERATE ELEMENTS WITHIN MDB HAVE VOICED
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CONCERN OVER TOTAL IDENTIFICATION OF PARTY WITH GROUPS, SUCH AS STUDENTS, THAT ARE LIKELY TO BECOME INCREASINGLY RADICALIZED.

13. AMONG ARENA LEADERS THERE IS PALPABLE AND GROWING SENSE OF INSECURITY, F NOT PANIC, IN THE FACE OF THE 1978 DIRECT ELECTIONS AND A NOTABLE TENDENCY TO ADMIT WITH UNUSUAL CANDOR THAT, SINCE THE "REFORMS," ARENA NO LONGER CAN TURN OUT THE VOTES. THIS INSECURITY HAS PRODUCED CONSIDERABLE PRESSURE AT THE TOP OF THE POLITICAL SYSTEM FOR FURTHER CHANGES TO SAVE ARENA'S SKIN AS WELL AS THE GOVERNMEN'S IMAGE OF 1978. WHILE WE EXPECT GOVERNMENT SPOKESMEN WILL CONTINUE FOR AWHILE MAKING ASSURANCES THAT NO FURTHER REFORMS ARE NEEDED, THE GOVERNMENT REMAINS COMMITTED TO DOING WHATEVER IS NECESSARY

TO BLOCKING AN EMBARRASSING MDB SHOWING, AND FURTHER, HARDER "REFORMS",

SUCH AS EXTENSION OF ALL MANDATES FOR TWO MORE YEARS, THE ADOPTION OF INDIRECT ELECTIONS FOR ALL OFFICES, AND THE ABOLITION OF MDB AND ARENA AND THEIR REPLACEMENT BY A MULTI-PARTY SYSTEM, ARE ENTIRELY CONCEIVABLE.END COMMENT.
CRIMMINS

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